

Michigan  
Department  
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# Articles in Today's Clips

**Friday, June 13, 2008**

(Be sure to maximize your screen to read your clips)

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June 13, 2008

## Ex-day care provider gets 7 years

*Trace Christenson*  
*The Enquirer*

The effects of Damien Lewis' death will linger forever, his parents said.

"I am a man and I have never cried so much," James Lewis told Calhoun County Circuit Court Judge Allen Garbrecht Thursday. "At work, grown men cry and hug me. I am never going to be better."

Lewis said he will never forget seeing the body of his 5-month-old child on a hospital cot and then later trying to select a tiny container for his ashes.

"His first haircut was when we asked for a lock of his hair and they cut his hair at the funeral home," he said. "There is no justice."

Lewis and the child's mother, Michelle O'Conner, spoke to Garbrecht before Ruthann Jarvis, a former day care provider, was sentenced in the death of their son.

Jarvis, 49, was found guilty by a jury in May of involuntary manslaughter and second-degree child abuse in the death Sept. 26 death of the child. Jarvis was sentenced to a minimum of seven years and two months to a maximum of 15 years in prison.

Jarvis was charged with second-degree murder after prosecutors alleged she gave Damien Lewis a dose of Ambien, an adult sleep aid. She told investigators it was to calm the child, who was teething. The child's family contends Jarvis just didn't want to be bothered with the fussy baby.

"Our son died because she didn't care," O'Connor said.

## A 'SELFISH ACT'

Prosecutor John Hallacy called it the "ultimate selfish act because the child was a bother for Mrs. Jarvis."

"It is frightening to me as a parent and a grandparent to think that a day-care provider would think about drugging a child to make their own day a little easier, and I think that is what you did," Garbrecht said. "And you knew from the moment he stopped breathing — you knew why he was dying."

Garbrecht told Jarvis she could have told paramedics and doctors about the Ambien "but you dashed any hope for Damien Lewis surviving this poisoning by remaining silent."

Jarvis said in court: "I am very sorry for the family. I pray that they have peace and comfort. I am truly sorry."

And defense attorney Ronald Pichlik told the judge that Jarvis has never been in trouble before, and once she serves her sentence she won't break the law again.

But O'Connor addressed Jarvis as a murderer and said, "I hate you. You talked so nice to my son and you put an Ambien pill in his mouth. You did not help him. You killed him."

O'Connor said when she dropped her son off at Jarvis' Springfield day care "he was happy and

healthy that morning."

The next time O'Connor saw him was on the hospital cot "and the light in his eyes was gone."

After initial results from the autopsy suggested the death might be from sudden infant death syndrome (SIDS), "you thought you got away with killing Damien," O'Connor said. "You even came to the funeral, knowing you killed him."

And Garbrecht noted that after the Ambien was detected, the parents became suspects in the death of their own son.

O'Connor told Jarvis: "I want you to think about that morning for the rest of your life. In 15 minutes you killed my son. I want that morning to play over and over for you."

## COMMUNITY AFFECTED

Hallacy said the case goes beyond the family to the whole community.

"It's about trust that parents put into a day-care provider," he said. "Today, with both parents working and working more than one job, we have to trust others to care for our children, and it's the greatest trust we can give to another.

"As they take their daughter to another day care they wonder, they fear," Hallacy said about Lewis and O'Connor. "This case will impact these parents and this community forever."

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# argus-press

## Parent group protests family court practices

By NATHAN BRUTTELL Argus-Press Staff Writer

Thursday, June 12, 2008 9:59 AM EDT

CORUNNA - Protesters representing Parents for Children stood downtown hoping to raise awareness of their organization Monday.

Parents for Children is an organization dedicated to addressing alleged problems of abuse and corruption in family court for parents who have had children taken by the Department of Human Services.

The group also gathered to support one of its own members, Michelle Romine, who was in court hoping to gain custody of her children.

Spokeswoman for the Shiawassee division of Parents for Children, Linda Haddix, said the group gathers every chance it gets to support one of its own members.

"We handed out flyers at (DHS) in April, and we rally at court dates to show our support," Haddix said. "We also attempt to raise awareness of House Bill 5931, which holds (DHS) workers accountable for their reports."

The bill, introduced by Rep. Fulton Sheen, R-Plainwell, in March, has not been passed by either the House or the Senate. If passed, the bill would prevent workers from submitting false reports and remove all immunity.

Currently, DHS workers have civil immunity from mistakes made during investigations, but not gross negligence immunity. Haddix and Parents see the bill passed in hopes that case workers would be held responsible for reports made to the court.

Many members of the group, including Jane Feldpausch, were mothers who had lost their children to DHS. "I just want to bring my kids back home," she said. "I have done what (DHS has) asked and I want them to give me back my kids."

Susan Fulton, director of DHS for Shiawassee County, said parents hoping to regain custody of their children must follow guidelines set by DHS "Generally if parents can comply with the plan and make the needed changes to rectify the situation, then we can look at reunification," she said. Fulton also said that in some cases, meeting the guidelines will not necessarily guarantee custody.

"You could go to a therapist every week, but if you're still displaying the same behaviors, we have to identify that," she said. "It could be that new identified or the (completion of the guidelines) has not made an impact or change."

Fulton also encouraged parents looking for answers from DHS to speak with her to resolve the matter.

Joseph Sabin, a member of Parents for Children, said that many members of the group were not opposed to DHS, but hoped investigations would move efficiently.

"Some children deserve to be taken away from their families," he said. "Some have been abused or neglected. No one is arguing against that."

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## State cites program at Pine Rest for deficiencies after woman's death

Posted by [jhaywood](#) June 13, 2008 10:43AM

CUTLERVILLE --The state has cited an inpatient program at Pine Rest Christian Mental Health Services for deficiencies after a woman was pinned beneath a bed and died in March.

Among the problems cited by the state Department of Community Health: The Saint Mary's Health Care psychiatric inpatient program at Pine Rest failed to document and inspect the set up of new beds and failed to follow its policy to check on the woman every 15 minutes.

However, the state agreed with the findings of the Kent County Sheriff's Department and the Medical Examiner's Office that the death was accidental, said health department spokesman James McCurtis.

Elizabeth Seamon, 66, of Grand Rapids, who was treated for bipolar disorder, died March 4 after she had crawled beneath the bed in an apparent attempt to fix it, authorities said. She became pinned beneath a foot pedal, which compressed her chest so she could not breathe.

Nurses had last checked on her at 6:45 a.m., last heard her in her room at 7:15 a.m., then discovered her beneath the bed at 7:27 a.m., according to Medical Examiner's records.

A nurse initially told a Medical Examiner's investigator that she was found unresponsive on her bed.

The ME's office later ruled the case an accident -- death by asphyxiation -- but the investigation raised questions about how closely the staff at Pine Rest had been watching Seamon.

The state found that:

- The program failed to have a procedure for documenting the inspection and set up of new beds, as well as ongoing maintenance;
- Employees failed to monitor Seamon, who had been placed on precaution status, at 15-minute intervals as required.
- The hospital failed to have Seamon seen daily by the attending psychiatrist as required by medical staff bylaws, though she had been seen by her psychiatrist the day before her death.
- The hospital's "behavior management committee" failed to review Seamon's written behavior plan, which included limitations on her freedom of movement because of assault behavior.
- The hospital failed to inform its recipient rights adviser immediately of the death, waiting, instead, for 6 to 7 hours.

The program has 10 days to submit a plan to correct the problems, state officials said. If the state accepts the plan, it will conduct a surprise visit to determine whether corrections were made, McCurtis said.

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June 13, 2008

## Hubbard sentenced in girlfriend's death

*Trace Christenson*  
*The Enquirer*

Arenza Hubbard, 36, of Battle Creek was sentenced today to 50 to 75 years in prison for the December 2, 2006 death of his girlfriend.

Ebony Lee, 24, died after she was run over by an SUV after the couple argued. Hubbard was arrested in Detroit about a year later and entered a no contest plea to second degree murder last month.

Calhoun County Circuit Court Judge James Kingsley called the homicide a “terribly violent crime.”

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## Parents urge delay in making changes to Ottawa Head Start

Posted by [slangford](#) June 13, 2008 09:16AM



Press Photo/Mark CopierOne of 11 locations: A

Head Start sign outside the center in Community Reformed Church marks one of 11 Child Development Services of Ottawa County sites.

**ZEELAND --** A decision to consolidate Head Start programs into fewer centers and raise minimum qualifications for staff is causing a backlash from parents and teachers toward Child Development Services of Ottawa County, the nonprofit organization that has run the federally funded programs for 42 years.

Parents who represent the child development group's 11 centers on the policy council, one of two governing boards, asked interim director Susan Dupay to reconsider implementing such sweeping changes because sufficient notice has not been given.

"It sounded good when they were talking about consolidating for operational efficiencies and higher teacher qualifications," said JoElyn Mack of Zeeland, president of the policy council and a member of the agency's board of directors. "They were never talking in terms of demoting or laying off our current staff, or closing centers."

### Staff could not attend meeting

A dozen staff members met outside City on a Hill Ministries, where the policy council meeting was held. They said rules prevented them from attending the meeting unless invited.

The philosophy behind the changes was outlined in a strategic plan adopted by both governing bodies in December, Dupay said. The board appointed her a week ago to fill in for Executive Director Rosemary Ervine, who resigned for personal reasons.

Dupay assured parents the agency will continue to provide Head Start to 366 children ages 3 to 5 but prefers to relocate small programs held in churches and community buildings into spacious public school classrooms.

Most of those programs will be welcomed into Holland Public Schools. There will be five classrooms at Washington, four at Jefferson and two at Maplewood. The program in Holland's Lakeview Early Childhood Center closed this year.

Child Development also is seeking government approval to reduce its 60 spots for infant to 3-year-old Early Head Start services to 48.

### Parents notified last week

The organization last week notified staff and parents at two of its year-round centers -- Falcon Woods in Holland Township and Bright Beginnings in Grand Haven -- that those locations will close June 27, throwing parents and staff into a panic.

Other likely closures are school-year Head Start centers in Zeeland and Ferrysburg. Zeeland students will be bused to Holland and Ferrysburg will forfeit its spots to Holland, where Head Start's waiting list is longest.

Child Development wants to move its Lamont and Dunes centers into a Grand Haven school.

The changes also immediately require Child Development teachers and social workers to hold bachelor's degrees and for classroom assistants to hold associate degrees in child development -- standards the federal government won't require for five years.

Several veteran employees won't qualify for their current positions when Head Start classes resume Sept. 15 and are being asked to accept lower-paying positions that could be anywhere in the county, or quit, staff said.

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## Forum: Crossing the 'poverty line'

By **MARY MARGARET HORNBAKER** and **LES POGGEMEYER**

Fri, Jun 13 2008

According to the U.S. government, "poor" means that your income is something less than a "poverty line" that was defined back in the mid-1960s. At the time of its inception, the poverty baseline measure was set at approximately three times the annual cost of a nutritionally adequate diet. It was assumed that this amount would enable a family to meet basic needs. It may have then; it doesn't now.

To further illustrate, let's consider the current U.S. "poverty line" amount for a single-parent family with two children. According to the Census Bureau, the 2007 amount was \$16,705\*. Would this annual income cover a family's basic needs?

According to the Economic Policy Institute's Web site, this three-person family in the Saginaw/Bay City/Midland area must earn \$29,316 annually, and in rural Michigan \$27,168\*\* to pay for key necessities, without setting aside any money in savings or investments. Let's call this a Basic Family Budget amount. It is important to note that 409,000 people in the State of Michigan live below this "family budget line."

The gap between the current "poverty line," an amount that, by definition, ought to meet a family's basic needs -- and the Basic Family Budget amount -- is astounding. And because housing is one of the largest monthly costs a family must incur, families with incomes beneath that basic budget amount often have no choice but to live in substandard housing. It's all they can afford.

The negative effects of substandard housing are well documented. A simple search at the library or online will turn up thousands of books, articles and studies that list numerous dark consequences of living in inferior, often infested, shelter. These consequences are particularly dire for children. And shouldn't every child be allowed to grow up in decent, affordable housing?

Millions of families continue to live in substandard conditions. Having an income above the "poverty line" in no way guarantees a decent place to live.

This is an American problem. It is our problem. And some folks are trying to do something about it.

Two organizations have reached out in a big way to teach this country's citizens about the issue of substandard housing: Thrivent Financial for Lutherans and Habitat for Humanity International. Together they created the Thrivent Builds Mobile, a 67-foot multi-media exhibit on wheels that is traveling across the United States. Stepping inside the Mobile enables each visitor to actually experience what it might be like to live in substandard housing.

The Thrivent Builds Mobile will be in Traverse City during the National Cherry Festival, July 5-12, at the intersection of East Grandview Parkway and North Union Street. Hours for the exhibit are 10 a.m. to 8 p.m. daily. It is an event not to be missed. It is important for all adults to experience this exhibit; it is equally appropriate for children.

For more information, contact Mary Margaret Hornbaker, executive director of Northwest Michigan Habitat for Humanity, at (231) 348-6926, or Les Poggemeyer, chairperson for Habitat for Humanity of Benzie County, at (231) 882-4574.

\* [www.census.gov/hhes/www/poverty/threshld/thresh07.html](http://www.census.gov/hhes/www/poverty/threshld/thresh07.html)

\*\* [www.epi.org/content.cfm/datazone\\_fambud\\_budget](http://www.epi.org/content.cfm/datazone_fambud_budget)

About the authors: Mary Margaret Hornbaker is executive director of Northwest Michigan Habitat for Humanity. Les Poggemeyer is chairperson of Habitat for Humanity of Benzie County.

About the forum: The forum is a periodic column of opinion written by Record-Eagle readers in their areas of interest or expertise. Submissions of 500 words or less may be made by e-mailing [letters@record-eagle.com](mailto:letters@record-eagle.com). Please include biographical information and a photo.

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#### Photos



Poggemeyer



Hornbaker

# U.S. House extends benefits for jobless

Senate prospects for passage are unclear for bill that would add at least an extra 13 weeks.

Deb Price / The Detroit News

**WASHINGTON** -- The U.S. House on Thursday overwhelmingly passed a bill to extend an extra 13 weeks of jobless benefits to out-of-work Americans, and 13 weeks on top of that for those in especially hard-hit states such as Michigan.

The vote was 274-137. Republicans split, with 49 voting in favor and 137 against the extension.

All six of Michigan's House Democrats and eight of its nine Republicans voted for the added benefits. Rep. Mike Rogers, R-Brighton, did not vote; aides said he was out of town, but noted that Rogers was a cosponsor of the bill and had voted in favor of a previous version.

"Extending unemployment benefits puts money in the pockets of those who need it and spurs the economy," said Rep. John Dingell, D-Dearborn. Rep. Fred Upton, R-St. Joseph, said it would allow "those folks who are struggling to find employment to continue to pursue job opportunities, while still providing for their families."

The bill passed by a veto-proof margin -- which at least was a symbolic victory for proponents, who argue the shaky economy has left many out-of-work Americans exhausting their benefits before they can find new jobs.

But the bill's prospects are unclear in the Senate, and the White House already is threatening to veto it.

As an alternative tactic, the Senate may try to slip the benefits extension in the Iraq war funding bill that still has not been sent to the president.

The Bush administration says the country's jobless rate, 5.5 percent, isn't high enough to warrant the extension. But the White House suggested the president might agree to an additional 13 weeks solely for very hard hit states. Michigan has the highest unemployment rate in the country: 6.9 percent.

Others at 6 percent or higher: Alaska, California and Rhode Island and the District of Columbia.

Under the proposal, unemployed workers could get an additional 13 weeks of unemployment checks. In states with a jobless rate of 6 percent or higher, workers could get 13 weeks beyond that.

Michigan jobless workers now get 26 weeks. So, under the House plan, they could get up to 52 weeks of jobless benefits. Those who had already exhausted benefits back as far as November 2006 could apply for back compensation.

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